

TITLE 8: VEHICLES AND TRAFFIC

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Chapter 8.05 General Provisions

§ 8.05.005 Definitions.

A. For the purpose of this title, the following words and phrases shall mean:

1. Central Traffic District: all streets and portions of streets within the area described as follows: that area bounded by Pacific Coast Highway (101), Eighth Street, Tenth Street and Ocean Avenue.

2. Curb: the lateral boundary of the roadway, whether or not marked by curbing construction. "Curb" does not include the line dividing the roadway of a street from parking strips in the center of a street, nor from tracks or rights-of-way of public utility companies.

3. Divisional Island: a raised island located in the roadway and separating opposing streams of traffic.

4. Holidays: New Year's Day (January 1st); Washington's Birthday (3rd Monday in February); Memorial Day (last Monday in May); Independence Day (July 4th); Labor Day (1st Monday in September); Veterans' Day (November 11th); Thanksgiving Day (4th Thursday in November); the calendar day following Thanksgiving Day; Christmas Day (December 25th).

5. Loading Zone: the space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers or materials.

6. Parking Meter: a mechanical device installed adjacent to a parking space for the purpose of controlling the period of vehicle occupancy of such space.

7. Parkway: that portion of a street other than a roadway or sidewalk.

8. Passenger Loading Zone: the space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers.

9. Police Officer: an officer of the city police department or a person authorized to direct or regulate traffic, to issue parking tickets or to make arrests for violations of traffic regulations. "Police officer" includes community service officer and police aide.

10. Stop: when required, means complete cessation of movement.

11. Stop or Stand: when prohibited, means any cessation of movement of a vehicle except when necessary to avoid conflict with other traffic or in compliance with the direction of a police officer, traffic control device or traffic signal.

12. Street: a way or place of whatever nature, maintained by the city and open to the use of the public for purposes of vehicular travel. "Street" includes highway.

B. Any word or phrase used in this title that is defined in the Vehicle Code and not defined in paragraph A, shall have the meaning set forth in the Vehicle Code.

§ 8.05.010 Applicability to Bicycle and Animal Riders.

Every person riding a bicycle or riding or driving an animal upon a highway shall have all the rights and be subjected to all of the duties applicable to the driver of a vehicle by this title, except those provisions that by their very nature can have no application.

§ 8.05.015 Applicability to Private Roads. (Ord. No. 1566, Ord No. 1589)

A. The city council finds and declares that the public interest will best be served by the application of this title and the Vehicle Code to the following roads and areas due to their proximity to or connection with highways and streets: Surfside Avenue; Pacific Avenue; Seal Way; Phillips Avenue; and each road, lane and parking area within the respective boundaries of Rossmoor Business Center and Sunset Aquatic Park.

B. The city will enforce traffic laws on the roads and areas listed in subsection A and such roads and areas shall be subject to all applicable provisions of this title and the Vehicle Code. The city shall not be deemed to assume any responsibility or liability for the maintenance or care of such roads and areas.”

§ 8.05.020 Obedience to Traffic Directions.

A. No person shall fail or refuse to comply with any lawful order, signal or direction of a police officer or member of the fire department.

B. No person shall perform any act forbidden by any lawful order, signal or direction of a police officer or member of the fire department.

§ 8.05.025 Obedience to Traffic Control Devices.

No person shall fail or refuse to comply with the instructions of any official traffic control device unless otherwise directed by a police officer.

§ 8.05.030 Interference with Enforcement.

No person shall interfere with any police officer in the enforcement of this title. The removal, obliteration or concealment of any chalk mark or other distinguishing mark used by a police officer in connection with the enforcement of parking regulations shall, if done for the purpose of evading the provisions of this title, constitute unlawful interference.

§ 8.05.035 Traffic Control Signs Prerequisite for Enforcement.

No provision of the Vehicle Code or this title for which traffic control signs are required shall be enforced against an alleged violator unless such signs are in place.

§ 8.05.040 Wheeled Devices Prohibition. (Ord. No. 1608)

A. Wheeled Device: For the purpose of this section, a “wheeled device is any wheeled device propelled by human or mechanical power. “Wheeled device” includes without limitation: bicycles, roller skates, scooters, Segways, and skateboards. “Wheeled devices” does not include: cars, trucks and equivalent vehicles; baby strollers; shopping carts utilized for transportation of goods; wheelchairs; and motorized tricycles and motorized quadricycles utilized by persons otherwise unable to move about as pedestrians by reason of physical disability.

B. Prohibition: No person shall ride or operate a wheeled device in any of the following locations:

1. City sidewalks, unless authorized by Seal Beach Municipal Code Section 8.10.040.

2. Public property other than sidewalks where signs prohibiting such activity are conspicuously posted.

3. Privately owned sidewalks used for pedestrian traffic where signs prohibiting such activity are conspicuously posted.

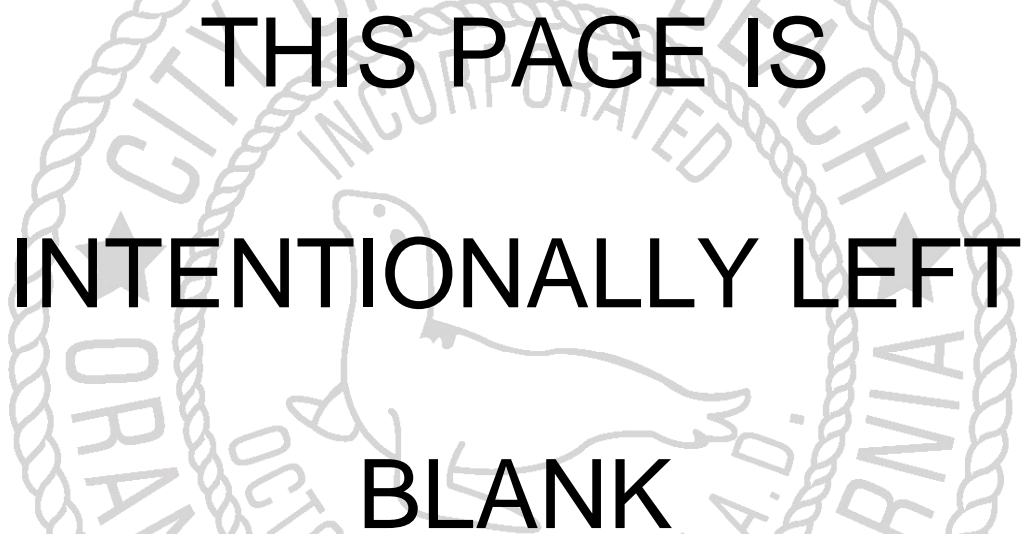
C. Infraction: Any person who rides or operates a wheeled device in violation of this section shall be guilty of an infraction.

§ 8.05.045 Exemptions.

A. The provisions of this title regulating the operation, parking and standing of vehicles shall not apply to the following when operated in the manner specified in the Vehicle Code in response to an emergency call: vehicles operated by the police or fire department; a public ambulance; or any public utility vehicle or private ambulance that has qualified as an authorized emergency vehicle. This exemption does not relieve the operator of any such vehicle from the obligation to exercise due care for the safety of others or from the consequences of willful disregard for the safety of others.

The provisions of this title regulating the parking or standing of vehicles shall not apply to any vehicle of a city department or public utility while in use for construction or repair work, or to any United States Post Office Department vehicle while in use for the collection, transportation or delivery of mail.

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Chapter 8.10

Traffic Administration

§ 8.10.005 Traffic Division.

A. The traffic division shall be under the control of a police officer appointed by and directly responsible to the chief of police.

B. In addition to any other powers and duties specified in this title, the traffic division shall do the following:

1. Enforce traffic laws.
2. Investigate traffic accidents.
3. Cooperate with the traffic engineer and other city officers in the administration of traffic laws and the development of traffic condition improvements.
4. Maintain a suitable system of filing traffic accident reports.
5. Annually prepare a traffic safety report for the city council. Such report shall contain the following information regarding incidents in the city:
 - a. The number of traffic accidents, the number of persons killed or injured, and other pertinent traffic accident data.
 - b. The number of traffic accidents investigated and other pertinent data on the safety activities of the police.

§ 8.10.010 Traffic Engineer.

A. The director of public works shall serve as the traffic engineer or shall designate a city employee to do so. Alternatively, the city council may contract with a consultant to serve as traffic engineer.

B. In addition to any other powers and duties specified in this title, the traffic engineer shall do the following:

1. Determine the installation, proper timing and maintenance of traffic control devices and traffic signals.
2. Conduct engineering analyses of traffic accidents and devise remedial measures.
3. Regulate the timing of traffic signals so as to permit the movement of traffic in an orderly and safe manner at speeds slightly at variance from the speeds otherwise applicable in the district or at intersections.

§ 8.10.015 One-Way Streets and Alleys.

Signs indicating the direction of lawful traffic movement shall be placed at every intersection where movement of traffic in the opposite direction is prohibited by city council resolution.

§ 8.10.020 Traffic Direction by Police and Fire Officials.

A. Police officers may direct traffic by voice, hand or other signal in conformance with traffic laws. In the event of a fire or other emergency, police officers or members of the fire department may direct traffic as conditions require.

B. At places where large numbers of people and vehicles have gathered, a police officer may prohibit any person from parking a vehicle or using a street or sidewalk. A police officer also may direct the parking of vehicles in any reasonable manner.

§ 8.10.025 Unauthorized Traffic Direction.

No person, other than a police officer or member of the fire department, shall direct traffic by voice, hand or other signal. This prohibition does not preclude any person from operating a mechanical push button signal erected by order of the traffic engineer. This prohibition also does not preclude traffic direction by means of a traffic control plan approved by the traffic engineer.

§ 8.10.030 Vehicle Removal.

Any police officer may remove a vehicle under the following circumstances:

A. The vehicle is parked or left standing upon a street or other city property for 72 or more consecutive hours in violation of this title.

B. The vehicle has been abandoned, as determined pursuant to Vehicle Code Section 22523.

C. The vehicle is parked or left standing upon a street between the hours of 7:00 a.m. and 7:00 p.m. when such parking is prohibited by city law and signs are posted giving notice of the removal.

D. The vehicle is parked on a street in violation of this code and the use of the street, or a portion thereof, is necessary for cleaning, repair, or construction, or for the installation of underground utilities. This provision shall apply only if signs giving notice that the vehicle may be removed are erected or placed upon such vehicle at least 24 hours prior to its removal.

§ 8.10.035 Unauthorized Curb Painting.

No unauthorized person shall paint any street or curb surface. This prohibition does not apply to the painting of numbers on a curb surface in accordance with city law.

§ 8.10.040 Bicycle Riding on Sidewalk.

The traffic engineer may post signs permitting bicycle riding on sidewalks at locations where riding in the street would be hazardous. Any person may ride a bicycle on a sidewalk where such a sign has been posted.

§ 8.10.045 Driving Vehicle Across New Pavement or Marking.

A. No person shall drive a vehicle over newly made pavement in a street when a barrier sign, cone marker or other warning device is in place giving notice of such restriction.

B. No person shall drive a vehicle over a freshly painted marker in a street when a barrier sign, cone marker or other warning device is in place giving notice of such restriction.

§ 8.10.050 Limited Curb Parking.

A. For purposes of this section, the term “limited curb parking space” shall mean an area that is open for lawful parking along side of, and adjacent to, a curb; and is not of sufficient length to accommodate parking of 2 vehicles.

B. Any person seeking to park a vehicle in a limited curb parking space, whose vehicle arrives at the space prior to any other vehicle, and who proceeds beyond the space less than 10 feet for the purpose of backing into the space, shall have the right-of-way over another person seeking to drive a vehicle directly into the space.

§ 8.10.055 Installation of Traffic Control Devices.

A. The traffic engineer shall place and maintain official traffic control devices as required to accomplish the provisions of this title and the Vehicle Code.

B. The traffic engineer may place and maintain such additional official traffic control devices as deemed appropriate for traffic regulation.

§ 8.10.060 Traffic Control Device Hours of Operation.

The traffic engineer shall determine the days and hours during which each traffic control device shall be in effect except in those instances where such period is specified by law.

§ 8.10.065 Installation of Traffic Signals.

A. The traffic engineer shall place and maintain official traffic signals at those intersections and other places where traffic conditions are such as to require that the traffic flow be alternately interrupted and released in order to relieve congestion or to protect life or property from hazard.

B. Street name signs shall be visible to the principal flow of traffic wherever the traffic engineer places and maintains an official traffic signal at an intersection.

§ 8.10.070 Lane Markings.

The traffic engineer shall mark center lines and lane lines upon the surface of the roadway to indicate the course to be traveled by vehicles. The traffic engineer may place signs temporarily designating lanes to be used by traffic moving in a particular direction, regardless of the center line of the highway.

§ 8.10.075 Distinctive Roadway Markings.

The traffic engineer shall place and maintain distinctive roadway markings as described in the Vehicle Code on those streets or parts of streets where the traffic volume or other curvature of the roadway renders it hazardous to drive on the left side of such markings. Such markings shall have the same effect as similar markings by the California Department of Public Works.

§ 8.10.080 Removal of Traffic Control Devices.

The traffic engineer may remove, relocate or discontinue the operation of any traffic control device not required by the Vehicle Code or this chapter. Such removal, relocation or discontinuation shall be based on a determination that the conditions that warranted the device are no longer applicable.

§ 8.10.085 Removal of Obstructive Shrubbery.

The traffic engineer shall remove or reduce in height any hedge, shrubbery or tree growing in a parkway and obstructing the view of an intersection or street traffic approaching an intersection.

§ 8.10.090 Turning Markers.

The traffic engineer may place markers, buttons or signs within or adjacent to intersections to indicate the course to be traveled by turning vehicles. The traffic engineer may indicate multiple lanes of traffic from which vehicles may make right or left hand turns.

§ 8.10.095 Restricted Turn Signs.

A. The traffic engineer may determine intersections at which vehicles shall not make a right, left or U-turn. The making of such turns may be prohibited between certain hours of any day and permitted at other hours.

B. The traffic engineer may determine intersections at which vehicles shall not make a right turn against a red light or stop signal.

§ 8.10.100 Establishment and Use of Crosswalks.

A. The traffic engineer shall establish and maintain crosswalks at all intersections within the central traffic district and at such other intersections as deemed appropriate. Other than crosswalks at intersections, no crosswalks shall be established in any block that is less than 400 feet in length.

B. No pedestrian in the central traffic district or in any business district shall cross a roadway other than by a crosswalk.

§ 8.10.105. Driving or Leaving Vehicles on Private Property.

No person shall drive or leave any vehicle in, over or upon private property without the permission of the owner or legal occupant of such property.(Ord No. 1577)

§ 8.10.110 Advertising Vehicles.

A. Definition. For purposes of this section, the term Advertising Vehicle: shall mean a motor vehicle designed or used for the primary purpose of displaying advertisements.

B. Prohibition. No person shall operate an advertising vehicle within the central traffic district.

C. Exemptions. Paragraph B does not apply to the following:

1. Vehicles displaying an advertisement or business notice of its owner so long as such vehicle is engaged in the usual business or regular work of the owner and not used merely, mainly or primarily to display advertisements.

2. Buses.

3. Taxicabs.

§ 8.10.115 Animal Drawn Vehicles.

No person shall drive an animal drawn vehicle in the city except as authorized by a parade permit or a special event permit.

§ 8.10.120 Truck Routes.

A. Designation. The city council may by resolution designate streets and parts of streets as truck routes for movement of vehicles exceeding a maximum gross weight of 3 tons.

B. Prohibition. No person shall operate a vehicle exceeding a maximum gross weight of 3 tons on any street that is not part of a truck route designated by city resolution and indicated by appropriate signs.

C. Exemptions. This section shall not apply to the following:

1. A vehicle that is subject to Public Utilities Code Sections 1031 to 1045, inclusive.

2. A commercial vehicle coming from an unrestricted street having ingress and egress by direct route to and from a restricted street when necessary for the purpose of making pickups or deliveries of goods, wares and merchandise from or to any building or structure located on the restricted street or for the purpose of delivering materials to be used in the actual and bona fide repair, alteration, remodeling or construction of any building or structure upon the restricted street for which a building permit has previously been obtained.

3. A vehicle owned by a public utility or a licensed contractor while necessarily used in the construction, installation or repair of any public utility.

§ 8.10.125 Commercial Vehicles.

The traffic engineer shall erect and maintain appropriate signs to indicate those streets on which commercial vehicles have been prohibited by city council resolution.

§ 8.10.130 Maximum Speed.

A. The city council has determined, upon the basis of an engineering and traffic survey that the speed permitted by state law outside of business and residence districts is more than is reasonable or safe. The prima facie speed limit for all streets and portions of streets is declared to be 25 miles per hour.

B. Paragraph A shall not apply to the following:

1. Any state or federal highway posted with a speed limit by authority of that jurisdiction.

2. Any street or portion of street posted with signs designating a greater speed as determined by the city council based upon an engineering and traffic survey, in which case the posted speed shall be the prima facie speed limit.

3. Streets, portions of streets, alleys or other areas for which a lesser speed is dictated by law.

§ 8.10.135 Movement of Oversize Vehicles.

A. No person shall operate in a street a vehicle, combination of vehicles, mobile equipment or load that weighs or measures in excess of the weight, width, height or length permitted by the Vehicle Code unless an oversize vehicle permit has been obtained from the director of public works.

B. Oversize vehicle permit applications shall be filed on a city-provided form and shall include the following information:

1. Name and address of the applicant.
2. Description of the vehicle and load to be operated or moved.
3. Highways over which the permit is requested.
4. Date, hour, duration and number of trips to be made.
5. Number and location of stops to be made.

C. The fee for oversize vehicle permits shall be established by city council resolution.

D. The director of public works may issue an oversize vehicle permit upon making a finding that the subject streets and appurtenant property can withstand such use. The permit shall specify the period of time for which it is valid; the routes to be traveled; the date, hour and number of trips allowed; the stops permitted; and such other terms and conditions as are imposed to promote the public safety and convenience. Permits shall be carried during the operation of the oversize vehicle and shall be available for inspection by city representatives.

E. Each person issued an oversize vehicle permit shall execute a city-provided indemnification agreement.

F. Decisions of the director of public works involving an oversize vehicle permit shall be subject to the administrative review procedure of chapter 1.20 of this code. The city manager shall be hearing officer for the purpose of such procedure.

§ 8.10.140 Railroad Crossings.

A. No person shall cause or permit any railway train, railway car or similar vehicle on rails to stop or stand or to be operated in such a manner as to prevent the use of any street for the purpose of travel for a period of time longer than 10 minutes.

B. Paragraph A does not apply to railway trains, railway cars or similar vehicles on rails while blocking or obstructing a crossing because of an accident that requires the operator of the train, car or similar vehicle on rails to stop at or near the scene of the accident.

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Chapter 8.15

Stopping, Standing and Parking

§ 8.15.005 Application of Chapter.

A. The provisions of this chapter prohibiting stopping, standing or parking of a vehicle shall apply at all times herein specified except when it is necessary to stop a vehicle to avoid conflict with other traffic or in compliance with the directions of a police officer or official traffic control device.

B. The provisions of this chapter imposing a time limit on standing or parking shall not relieve any person from the duty to observe other and more restrictive provisions of the Vehicle Code or this code.

§ 8.15.010 No Parking Areas.

No person shall stop, stand or park any vehicle in any of the following places:

- A. Within a parkway.
- B. Within a divisional island, unless authorized by signs or markings.
- C. In any area where stopping, standing or parking of vehicles is prohibited as indicated by signs or by red paint upon the curb surface.
- D. In any area where the stopping, standing or parking of the vehicle would constitute a hazard.
- E. In any area where the stopping, standing or parking of the vehicle would block the entrance to a garage or driveway. This provision shall not apply if the owner or occupant thereof has granted permission.
- F. In the Surfside Colony in any area between the white lines where stopping, standing or parking of the vehicle would constitute a hazard. (Ord. No. 1566)

§ 8.15.015 Stop Signs.

The traffic engineer shall erect and maintain a stop sign at each street intersecting a through street or portion thereof, at the entrances of other intersections where a stop is required and at railroad grade crossings where a stop is required.

§ 8.15.020 Marking of Parking Spaces.

- A. The traffic engineer may install and maintain parking space markings adjacent to curbs to indicate where parking is permitted.
- B. No vehicle shall be stopped, left standing or parked other than within a single parking space unless the size of such vehicle makes compliance impossible.

§ 8.15.025 Storage of Vehicles on Street or City Property.

No person shall stop, stand or park a vehicle upon a street or other city property for more than 72 consecutive hours.

§ 8.15.030 Vehicle Servicing on Street.

A. No person shall construct, repair or grease any vehicle or part thereof upon a street. This provision does not apply to emergency repairs.

B. No person shall wash or polish any vehicle or part thereof upon a street.

§ 8.15.035 Parking Adjacent to Schools.

The traffic engineer may erect signs to prohibit parking adjacent to school property when deemed necessary to prevent traffic interference or the creation of a hazard.

§ 8.15.040 Parking on Narrow Streets.

The traffic engineer may place signs and markings to prohibit parking upon any street having a roadway width less than 20 feet, or upon one side of any street having a roadway width less than 30 feet.

§ 8.15.045 Parking on Grades.

No person shall stop, leave standing or park any unattended vehicle on a street having a grade exceeding 3% unless the wheels of such vehicle are blocked by turning them against the curb or by other means.

§ 8.15.050 Emergency Parking Signs.

The traffic engineer may place temporary signs to prohibit parking of vehicles on streets and alleys during the holding of authorized parades or special events. Such signs shall be promptly removed after the parade or special event.

§ 8.15.055 Short Term Parking Zones.

Unless otherwise permitted by signs, no person shall stop, stand or park a vehicle in a short term parking zone between the hours of 9:00 a.m. and 6:00 p.m. of any day for longer than the prescribed period. For purposes of this section, the term "short term parking zone" means an area in which signs, parking meters or curb markings prescribe a short term period for parking of vehicles.

§ 8.15.060 No Stopping Zones.

The traffic engineer may designate no stopping zones by placing and maintaining appropriate signs.

§ 8.15.065 Parking on City Property.

A. The traffic engineer may erect and maintain signs to restrict or prohibit the driving or parking of vehicles on city property.

B. The city council may by resolution determine fees and methods of collection for the regulation of public parking on city owned or operated parking lots. The city council also may by resolution establish provisions for the issuance of parking permits authorizing parking on city owned or operated parking lots without payment of a fee.

§ 8.15.070 Curb Markings.

The traffic engineer shall utilize the following curb markings to indicate parking regulations:

A. Red: no stopping, standing or parking at any time except as permitted by the Vehicle Code, and except that a bus may stop in a red zone that is signed or marked as a bus zone.

B. Yellow: no stopping, standing or parking between 7:00 a.m. and 6:00 p.m. on any day other than Sunday for any purpose other than loading or unloading of passengers or materials. The period of passenger loading or unloading shall not exceed 3 minutes, and the period of materials loading or unloading shall not exceed 20 minutes.

C. White: no stopping, standing or parking between 7:00 a.m. and 6:00 p.m. on any day for any purpose other than loading or unloading of passengers, or depositing mail in an adjacent mailbox, for a period not exceeding 3 minutes. When the zone is in front of a hotel, the restrictions shall apply at all times. When the zone is in front of a theater, the restrictions shall apply when the theater is open. When the zone is established at a taxicab stand, taxicabs and automobiles for hire may remain in the zone for 40 minutes.

D. Green: no stopping, standing or parking between 7:00 a.m. and 6:00 p.m. on any day for a period longer than the time indicated on the curb unless otherwise indicated by signs.

E. A licensed driver shall be present in or immediately adjacent to any vehicle stopped for the purpose of loading or unloading passengers or materials.

§ 8.15.075 Loading Zones.

The traffic engineer may determine and mark loading zones as follows:

A. At any place in the central traffic district or any business district.

B. Elsewhere in front of the entrance to any place of business or in front of any hall or place used for the purpose of public assembly.

C. In no event shall more than half of the total curb length in any block be reserved for loading zone purposes.

§ 8.15.080 Parking in Alley.

A. No person shall stop, stand or park a vehicle in an alley for any purpose other than the loading or unloading of freight or passengers.

B. No person shall stop, stand or park a vehicle in an alley in a manner that blocks the entrance to a garage.

§ 8.15.085 Parking of Oversize Vehicles.

A. Definitions. For the purpose of this section, the following words and phrases shall mean:

1. Non-motorized vehicle: a trailer, camp trailer, semi-trailer or trailer coach as defined in the Vehicle Code.

2. Oversize vehicle: a vehicle or combination of vehicles that exceeds 20' in length or 90" in width exclusive of projecting lights or devices as allowed by Vehicle Code Sections 35109 and 35110. "Oversize vehicle" does not include a sedan or limousine manufactured expressly for carrying 10 or fewer passengers.

B. Prohibitions.

1. No person shall park or leave standing an oversize vehicle upon any street between 2:00 a.m. and 5:00 a.m.

2. No person shall park or leave standing upon any street a non-motorized vehicle that has been detached from its motor vehicle.

C. Exemptions.

1. Paragraph B does not apply to the following:

a. Commercial vehicles making pickups or deliveries of goods, wares or merchandise.

b. Vehicles displaying a valid permit issued by the chief of police.

2. Sub-paragraph 2 of paragraph B does not apply to vehicles being loaded or unloaded, or if emergency repairs are being made to the vehicle or to an adjacent property.

D. Permits. The chief of police may issue temporary permits for the overnight parking of an oversize vehicle or non-motorized vehicle upon making the following findings:

1. The proposed parking will not constitute a hazard.

2. The proposed parking is necessary due to special circumstances. For purposes of this provision, "special circumstances" includes without limitation:

a. The vehicle belongs to a house guest temporarily residing in the city. A permit issued based on this circumstance shall not be valid longer than 14 days.

b. The vehicle is newly purchased and a permanent parking place is being arranged. A permit issued based on this circumstance shall not be valid longer than 14 days.

c. The vehicle belongs to a new resident and a permanent parking place is being arranged. A permit issued based on this circumstance shall not be valid longer than 14 days.

d. The vehicle is used on a daily basis for work and on-premises parking is not reasonably possible. A permit issued based on this circumstance shall not be valid longer than 6 months.

e. The proposed parking is necessary for loading or unloading. A permit issued based on this circumstance shall not be valid longer than one day.

E. Appeals. Decisions involving the permit provided for in this section shall be subject to the administrative review procedure of chapter 1.20 of this code. The city manager shall be hearing officer for the purpose of such procedure.

§ 8.15.090 Truck Parking.

A. Prohibitions. No person shall park any commercial vehicle, truck, trailer or truck-trailer combination that exceeds a width of 80 inches on any street for a period longer than 2 hours.

B. Exemptions. Paragraph A does not apply to vehicles displaying a valid permit issued by the chief of police.

C. Permits. The chief of police may issue temporary permits for the parking on a street of a commercial vehicle, truck, trailer or truck-trailer combination that exceeds a width of 80 inches upon making the following findings:

1. The proposed parking will not adversely affect the subject neighborhood.
2. The proposed parking is necessary due to special circumstances. For purposes of this provision, "special circumstances" means either:
 - a. The vehicle is immobile due to accident or mechanical failure.
 - b. The vehicle is being loaded or unloaded and such work requires more than 2 hours to complete.
 - c. The vehicle is necessary for the performance of a service at an adjacent property and such work requires more than 2 hours to complete.

D. Appeals. Decisions involving the permit provided for in this section shall be subject to the administrative review procedure of chapter 1.20 of this code. The city manager shall be hearing officer for the purpose of such procedure.

§ 8.15.095 Taxicab Stands.

A. The traffic engineer may determine locations for and establish taxicab stands. The curb surface within each taxicab stand shall be painted white and marked "Taxicab Stand" in red lettering or shall be designated by appropriate signs.

B. No person shall stop, stand or park a vehicle other than a taxicab or automobile for hire in a taxicab stand.

§ 8.15.100 Surfside Colony Fire Hydrants.

A. No person shall stop, leave standing or park a vehicle within 15 feet of the main fire hydrants located within the Surfside Colony at Phillips Avenue and A Row, and Phillips Avenue and C Row, except when the vehicle is attended in the front seat by a licensed driver capable of immediately moving the vehicle.

B. No person shall stop, leave standing or park a vehicle within 10 feet of any other fire hydrant within the Surfside Colony unless the vehicle is attended in the front seat by a licensed driver capable of immediately moving the vehicle.

§ 8.15.105 Parking Meter Zones.

A. Parking meter zones are hereby established at the off-street municipal parking lots and along Main Street, Ocean Avenue, Central Avenue and Electric Avenue as delineated on the "City of Seal Beach Parking Meter Zone Map" dated September 23, 2002. Such map is

incorporated herein by reference. The city manager or the designee thereof shall cause parking meters to be installed and maintained in all parking meter zones.

B. Parking meters in the parking meter zones shall be operated between the hours of 8:00 a.m. and 6:00 p.m. on every day unless otherwise indicated by signs at a particular zone. The parking meter fees for parking meter zones shall be \$1.00 per hour on a year-round basis.

C. No person shall do any of the following:

1. Fail to deposit the parking meter fee immediately after parking a vehicle in a parking meter zone during the parking meter hours of operation.

2. Deposit in a parking meter a defaced coin or slug.

3. Deface, injure, or tamper with a parking meter.

4. Attach a bicycle, newsrack, fabric or other article to a parking meter.

5. Allow a vehicle owned or operated by such person to remain parked at a parking meter displaying the time expired signal. This provision does not apply to the period necessary after initial occupancy of a parking meter space for the immediate deposit of the parking meter fee.

6. Park a vehicle across a line or marking designating a parking meter space.

7. Park a vehicle that does not conform to the maximum vehicle length limit applicable to the lot.

8. Allow a vehicle parked by such person to remain in a parking meter space after receipt of a citation for failure to pay the parking meter fee. A violation of this provision shall occur after passage, from the issuance of the citation, of the parking time limit of the lot.

D. The parking of a vehicle at a parking meter displaying the time expired signal shall constitute prima facie evidence that the vehicle has been parked in such space longer than permitted by this section.

E. Mechanical failure of a parking meter shall be a defense to a citation for failure to pay the parking meter fee, provided that the person cited is not responsible for such failure.

§ 8.15.110 Parking Permits.

A. Parking permits may be issued for areas in which parking has been limited or prohibited by this title subject to the following restrictions:

1. On Main Street, Ocean Avenue from Eighth Street to Tenth Street, and Central Avenue from Eighth Street to Tenth Street, parking permits may allow 2 hour parking.

2. In the municipal parking lots on Main Street, parking permits may allow parking between the hours of 12:00 a.m. and 6:00 a.m.

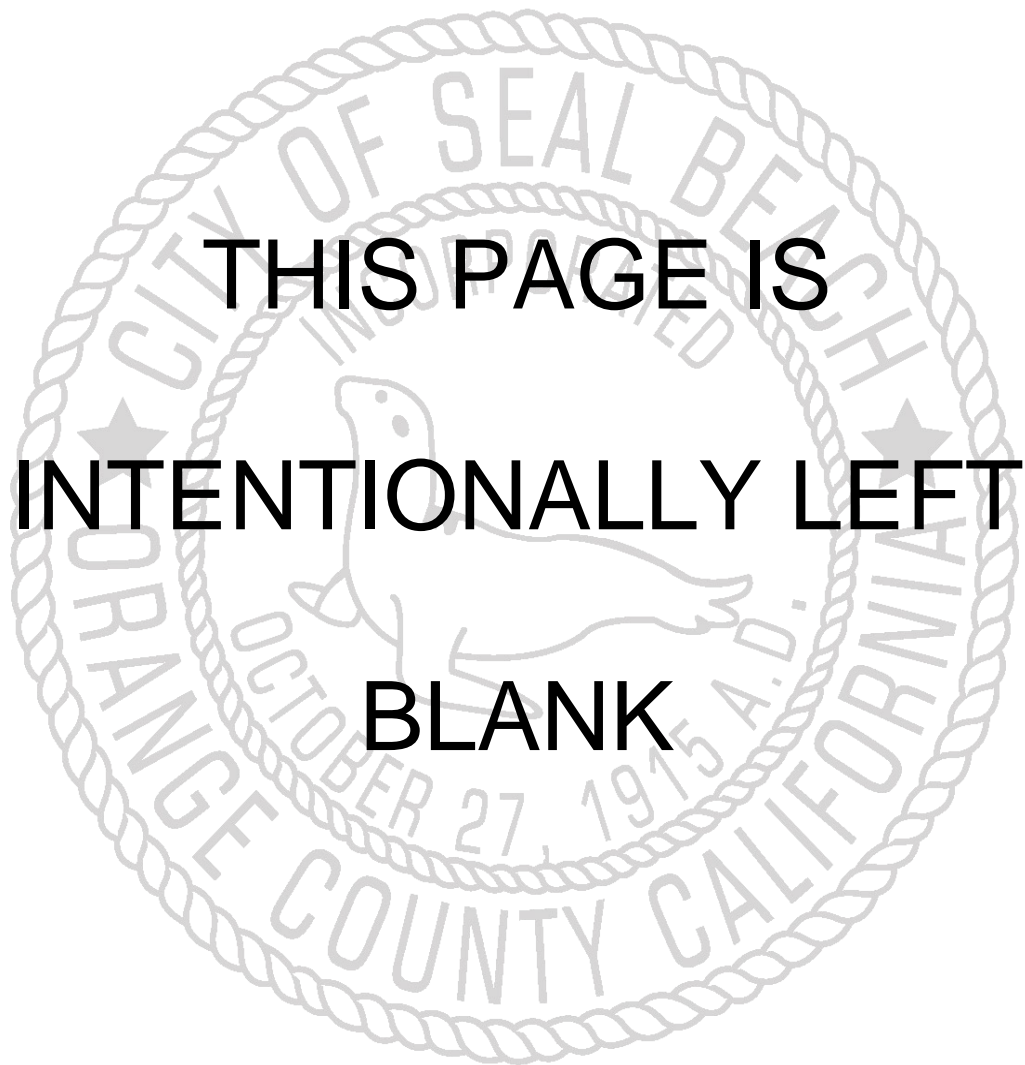
3. In the Eighth Street city employee parking lot south of Central Avenue, parking permits may allow parking between the hours of 12:00 a.m. and 6:00 a.m.

- B. Parking permits may be issued in the following categories:
1. Residential Parking Permit: Any city resident may purchase a residential parking permit for each vehicle owned or leased by that resident. Applicants shall submit their name, address, proof of residence and the make, model and license number of each vehicle. Permits shall be displayed on the left rear bumper of the vehicle.
 2. Guest Parking Permit: Any city resident may purchase up to two guest parking permits. Applicants shall submit their name, address and proof of residence. Permits shall be displayed on the inside left rear window of the vehicle.
 3. Merchant/Employee Parking Permit: Any merchant or employee working within the Old Town area may purchase a merchant/employee parking permit. Applicants shall submit their name, business address, proof of employment and the make, model and license number of the vehicle. Permits shall be displayed on the left rear bumper of the vehicle.
- C. Parking permits shall be valid from July 1st of the year issued until June 30th of the following year or until a change in ownership of the vehicle for which it is issued, whichever occurs earlier.
- D. A parking permit shall be destroyed by the permittee upon a change in ownership of the vehicle for which it issued or a change in address by the permittee. The permittee shall promptly report such destruction to the city.
- E. Parking permit fees shall be as set by city council resolution.

§ 8.15.115 Diagonal Parking Zones. (Ord. No. 1529 &1530)

- A. On any of the streets or portions of streets established by city council resolution as diagonal parking zones, when signs or pavement markings are in place indicating such diagonal parking, it shall be unlawful for the operator of any vehicle to park such vehicle in a manner that interferes with vehicles traveling in the driving lane or to park any vehicle except:
1. At the angle to the curb indicated by signs or pavement markings allotting space to park vehicles and entirely within the limits of such allotted space.
 2. With the front wheel nearest the curb within 6 inches of such curb.
- B. The provisions of this section shall not apply when such vehicle is actually engaged in the process of loading or unloading passengers, freight or goods, in which event the other applicable provisions of this chapter shall be complied with.

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Chapter 8.20

Motor Vehicle Parking Lots

§ 8.20.005 Damaging Equipment Prohibited.

No person shall damage any device or equipment, including without limitation control gates, used in the operation of a motor vehicle parking lot.

§ 8.20.010 Parking Without Payment Prohibited.

A. No person shall drive a motor vehicle into a motor vehicle parking lot without payment of a required entrance fee.

B. No person shall park a motor vehicle in a motor vehicle parking lot without payment of a required parking fee.

C. No person shall park a motor vehicle in a motor vehicle parking lot without a valid parking permit properly displayed on the driver's side dashboard with the expiration date and time clearly visible from the exterior of the vehicle. (Ord. No. 1590)

§ 8.20.015 Sunset Aquatic Park Parking Restriction. (Ord. No. 1589)

A. No person shall park any vehicle within Sunset Aquatic Park between 10:00 PM and 6:00 AM, unless the vehicle contains a properly displayed valid parking permit, issued by the operator of the Sunset Aquatic Park. Such permit shall be clearly visible from the exterior of the vehicle.

B. No person shall park a camper, recreational vehicle or vehicle and boat combination within Sunset Aquatic Park.

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Chapter 8.25 Parking Citations

§ 8.25.005 Definitions.

A. For the purpose of this chapter, the following words and phrases shall mean:

1. Contestant: an operator or registered owner who contests a parking citation.
2. Department: California Department of Motor Vehicles.
3. Hearing Examiner: a qualified individual, as set forth in Vehicle Code Section 40215, appointed or contracted by the city to adjudicate parking citation contests administratively.
4. Issuing Agency: the city or its authorized agent that issues parking citations.
5. Issuing Officer: a peace officer, as defined Penal Code Section 830 et seq., or other person authorized to issue a parking citation.
6. Operator: an individual driving or in possession of a vehicle at the time a parking citation is issued.
7. Parking Citation: a citation that gives notice of a parking, equipment or other vehicle violation and the right to elect to pay the parking penalty for the violation or contest the citation.
8. Parking Penalty: the fine authorized by law for the particular violation, including assessments authorized by the Vehicle Code, and any late payment penalty and costs of collection as provided by law.
9. Processing Agency: the city or its authorized agent that processes parking citations and issues notices of delinquent parking citations.
10. Registered Owner: the person registered with the department as having ownership of a particular vehicle.
11. Vehicle: any self-propelled vehicle operated or suitable for operation on a highway.

B. Any word or phrase used in this chapter that is defined in the Vehicle Code and not defined in paragraph A shall have the meaning set forth in the Vehicle Code.

§ 8.25.010 Establishment of Parking Penalties.

Parking penalties shall be established by city council resolution. All parking penalties received by the processing agency shall accrue to the benefit of the city.

§ 8.25.015 Processing Agency.

A. The city may function as the processing agency. Alternatively, in accordance with Vehicle Code Section 40200.5, the city may contract with the county, a private vendor or with

any other city or county processing agency for processing agency services. Any such contract shall provide for monthly distribution of amounts collected between the parties, except amounts payable to the county pursuant to Government Code Section 76000 et seq. and amounts payable to the department pursuant to Vehicle Code Section 4763.

B. The processing agency shall prepare an audited report at the end of each fiscal year setting forth the number of cases processed, and all sums received and distributed, together with any other information that may be specified by the city or its authorized issuing agency or the state controller. The report is a public record and shall be delivered to the city and its authorized issuing agency.

§ 8.25.020 Citation Process.

Parking citations shall be issued in accordance with the following procedures:

A. If a vehicle is unattended during the time of the violation, the issuing officer shall securely attach to the vehicle a parking citation setting forth the violation, including reference to the section of the Vehicle Code, Public Resources Code or this code, or the federal statute or regulation, that has been violated; the date; the approximate time of the violation; the location of the violation; a statement indicating that payment is required to be made not later than 21 days from the date of the citation issuance; and the procedure for the registered owner or operator to deposit the parking penalty or contest the citation. The parking citation shall also set forth the vehicle license number and registration expiration date if they are visible; the last 4 digits of the vehicle identification number if they are readable through the windshield; the color of the vehicle; and, if possible, the make of the vehicle.

B. The parking citation shall be accompanied by a written notice of: the parking penalty amount due for that violation; the address of the person authorized to receive a deposit of the parking penalty; a statement in bold print that payment of the parking penalty for the parking violation may be sent through the mail; and instructions on obtaining information on the procedures to contest the citation.

C. The parking citation shall be served by attaching it to the vehicle either under the windshield wiper or in another conspicuous place upon the vehicle so as to be easily observed by the person in charge of the vehicle upon the return of that person.

D. Once the parking citation is prepared and attached to the vehicle, the issuing officer shall file the citation with the processing agency.

E. If, during the issuance of the parking citation, without regard to whether the vehicle was initially attended or unattended, the vehicle is driven away prior to attachment of the citation to the vehicle, the issuing officer shall file the citation with the processing agency. The processing agency shall mail, within 15 days of issuance of the parking citation, a copy of the citation to the registered owner.

F. If, within 21 days after the parking citation is attached to the vehicle, the issuing officer or the issuing agency determines that, in the interest of justice, the citation should be cancelled, the issuing agency shall notify the processing agency to cancel the citation. The reason for the cancellation shall be set forth in writing.

G. If, after a copy of the parking citation is attached to the vehicle, the issuing officer determines that there is incorrect data on the citation, including without limitation the date or time, the issuing officer may indicate in writing on a form attached to the original citation, the necessary correction to allow for the timely entry of the citation on the processing agency's data system. A copy of the correction shall be mailed to the registered owner of the vehicle.

§ 8.25.025 Termination Upon Uncontested Payment.

If the parking penalty is received by the processing agency and there is no contest as to that parking violation, all proceedings as to that parking citation shall terminate.

§ 8.25.030 Notice of Delinquent Citation.

A. If payment of the parking penalty is not received by the processing agency by the date fixed on the parking citation, the processing agency shall deliver to the registered owner a notice of delinquent parking citation. Delivery of a notice of delinquent parking citation may be made by personal service or by first-class mail addressed to the registered owner of the vehicle as shown on the records of the department.

B. The notice of delinquent parking citation shall contain the information required to be given with the original parking citation. The notice of delinquent parking citation shall also contain a notice to the registered owner that, unless the registered owner pays the parking penalty or contests the citation within 21 days from the date of issuance of the citation or 14 days after the mailing the notice of delinquent parking citation or completes and files an affidavit of nonliability, the renewal of the vehicle registration shall be contingent upon compliance with the notice of delinquent parking citation.

C. The notice of delinquent parking citation shall contain, or be accompanied with, an affidavit of nonliability and information of what constitutes nonliability, information as to the effect of executing the affidavit and instructions for returning the affidavit to the issuing agency.

D. If the registered owner, by appearance or by mail, makes payment to the processing agency within 21 days from the date of issuance of the citation or 14 days after the mailing of the notice of delinquent parking citation, the parking penalty shall consist solely of the amount of the original penalty.

E. If the description of the vehicle on the parking citation does not substantially match the corresponding information on the registration card for that vehicle, and the processing agency is satisfied that the vehicle has not been incorrectly described due to the intentional switching of license plates, the processing agency shall, on written request of a person who has received a notice of delinquent parking citation, cancel the notice of parking violation without the necessity of an appearance by the requestor.

§ 8.25.035 Copies of Citation.

Within 15 days of request, made by mail or in person, the processing agency shall mail or otherwise provide to the registered owner, or the registered owner's agent, a copy of the original parking citation. The fee for such copy shall be in amount set by city council resolution and shall not exceed \$2. Until the issuing agency or processing agency complies with a request to provide a copy of the parking citation, the processing agency may not proceed pursuant to Vehicle Code Sections 22651(i), 22651.7 or 40220.

§ 8.25.040 Affidavit of Non-liability.

A. If the affidavit of non-liability is returned to the processing agency within 30 days of the mailing of the notice of delinquent parking citation together with proof of a written lease or rental agreement between a bona fide rental or leasing company and its customer, which identifies the rentee or lessee and provides the driver's license number, name and address of the rentee or lessee, the processing agency shall serve or mail to the rentee or lessee identified in the affidavit of non-liability a notice of delinquent parking citation. If payment is not received

within 21 days from the date of issuance of the parking citation or 14 days after the mailing of the notice of delinquent parking citation, the processing agency may institute proceedings to collect the parking penalty.

B. If an affidavit of non-liability is returned with evidence that the registered owner has made a bona fide sale or transfer of the vehicle and has delivered possession thereof to the purchaser prior to the date of the alleged violation, the processing agency shall obtain verification from the department that the registered owner has complied with Vehicle Code Section 5602. If the registered owner has complied with that statute, the processing agency shall cancel the notice of delinquent parking citation with respect to the registered owner. If the registered owner has not complied with that statute, the processing agency shall inform the registered owner that the citation shall be paid in full or contested pursuant to this chapter. If the registered owner does not comply, the processing agency may institute proceedings to collect the parking penalty.

§ 8.25.045 Termination Upon Payment After Notice of Delinquent Citation.

A. If the registered owner or operator deposits the parking penalty with the processing agency after a notice of delinquent parking citation has been issued, the processing agency shall:

1. Deliver to the person making the deposit a copy of one of the following: the notice of delinquent parking citation; a true and correct abstract containing the information set forth in the parking citation if the citation was issued electronically; or an electronically reproduced listing of the citation information presented in a notice of delinquent parking citation.

2. Record in the issuing agency's records the name, address and driver's license number of the person actually given the copy.

3. Determine whether the notice of delinquent parking citation has been filed with the department and whether a civil judgment has been entered.

B. If the notice of delinquent parking citation has not been filed with the department and a civil judgment has not been entered, and payment of the parking penalty together with any administrative service fee of the processing agency for costs of service and any applicable assessments is received, then the proceedings shall terminate as to that parking citation.

C. If the notice of delinquent parking citation has been filed with the department, has been returned under subdivision (b) or (c) of Vehicle Code Section 4760 or Section 4764, and payment of the parking penalty together with any administrative service fee of the processing agency for costs of service and any applicable assessments is received, the proceedings shall terminate.

D. If the notice of delinquent parking citation has been filed with the department and has not been returned under Vehicle Code Sections 4760, 4762 and 4764, and payment of the parking penalty for, and any applicable costs of, service in connection with civil debt collection, is received by the processing agency, the processing agency shall do the following:

1. Deliver a certificate of payment to the person making the payment.
2. Immediately transmit the payment information to the department in the manner prescribed by the department.
3. Terminate proceedings on the notice of delinquent parking citation.

4. Transmit for deposit all parking penalties and assessments in accordance with law.

§ 8.25.050 Review Process.

A. Initial Review. For a period of 21 days from the issuance of a parking citation, or 14 days from the mailing of a notice of delinquent parking citation, a person may request an initial review of the citation or the notice by the issuing agency. The request for initial review may be made by telephone, in writing or in person and there shall be no charge for the initial review. If, following the initial review, the issuing agency is satisfied that the violation did not occur, that the registered owner was not responsible for the violation, or that extenuating circumstances make dismissal of the citation appropriate in the interests of justice, then the issuing agency shall cancel the parking citation or the notice of delinquent parking citation. The issuing agency shall advise the processing agency of the cancellation. Either the issuing agency or the processing agency shall mail the results of the initial review to the contestant.

B. Administrative Hearing – In General. If a contestant is dissatisfied with the results of the initial review, such person may request an administrative hearing on the violation no later than 21 days following the mailing of the results of the initial review. The request may be made by telephone, in writing or in person. Before the expiration of the period for requesting an administrative hearing, the contestant shall deposit with the processing agency the amount of the parking penalty and shall file, on a processing agency issued form, a written explanation of the grounds for appeal. The processing agency may waive the deposit requirement upon satisfactory proof by the contestant of an inability to pay the parking penalty due. The administrative hearing shall be held within 90 days of the hearing request; provided, however, that the contestant may request one continuance, not to exceed 21 days.

C. Administrative Hearing – Elements.

1. The contestant shall have the choice of an administrative hearing by mail or in person. An in-person hearing shall be conducted within the city.

2. If the contestant is a minor, such person may appear at an administrative hearing or admit responsibility for the parking violation without the necessity of the appointment of a guardian. The processing agency may proceed against the minor in the same manner as against an adult.

3. The administrative hearing shall be conducted in accordance with written procedures established by the issuing agency and approved by the city manager. The hearing shall provide an independent, objective, fair and impartial review of contested parking violations.

4. The issuing officer is not required to participate in the administrative hearing. The issuing agency is not required to produce any evidence other than the parking citation, or copy thereof, and information received from the department identifying the registered owner of the vehicle. The documentation in proper form shall be prima facie evidence of the violation.

5. The hearing examiner's decision following the administrative hearing may be personally delivered to the contestant or sent by first-class mail.

6. Upon determining that a contestant has committed the violation, the hearing examiner may, consistent with the issuing agency's guidelines, allow payment of the parking penalty in installments. Alternatively, the issuing agency may allow for deferred payment or payment in installments if the contestant provides satisfactory evidence of inability to pay the

parking penalty in full. If authorized by the city council, the hearing examiner may permit the performance of community service in lieu of payment of a parking penalty.

§ 8.25.055 Collection of Parking Penalty.

A. Except as otherwise provided below, the processing agency shall proceed under only one of the following options in order to collect an unpaid parking penalty:

1. The processing agency may file an itemization of unpaid parking penalties and service fees with the department for collection with the registration of the vehicle pursuant to the Vehicle Code Section 4760.

2. If more than \$400 in unpaid parking penalties and fees have been accrued by any person, the processing agency may file proof thereof with the court with the same effect as a civil judgment. Execution may be levied and such other measures may be taken for the collection of the judgment as are authorized for the collection of an unpaid civil judgment entered against a defendant in an action on a debtor. The court may assess costs against a judgment debtor to be paid upon satisfaction of the judgment. The processing agency shall send a notice by first-class mail to the person indicating that a judgment shall be entered for the unpaid penalties, fees and costs and that, after 21 days from the date of the mailing of the notice, the judgment shall have the same effect as an entry of judgment against a judgment debtor. The notice shall also indicate that execution may be levied against the person's assets, that liens may be placed against the person's property, that the person's wages may be garnished, and that other steps may be taken to satisfy the judgment. If a judgment is rendered for the processing agency, the agency may contract with a collection agency to collect the judgment amount.

3. If the registration of the vehicle has not been renewed for 60 days beyond the renewal date, and the citation has not been collected by the department pursuant to Vehicle Code Section 4760, the processing agency may file proof of unpaid penalties and fees with the court with the same effect as a civil judgment as provided in sub-paragraph 2.

B. The processing agency shall not file a civil judgment with the court relating to a parking citation filed with the department unless the processing agency has determined that the registration of the vehicle has not been renewed for 60 days beyond the renewal date and the citation has not been collected by the department pursuant to the Vehicle Code Section 4760.

C. The processing agency shall terminate proceedings on the notice of delinquent parking citation in any of the following cases:

1. Upon receipt of collected penalties and administrative fees remitted by the department under Vehicle Code Section 4762 for that notice of delinquent parking citation. The termination under this sub-paragraph is by satisfaction of the parking penalty.

2. If the notice of delinquent parking citation was returned to the processing agency pursuant to Vehicle Code Section 4764 and 5 years have elapsed since the date of the violation. The termination under this sub-paragraph is by the running of a statute of limitation of proceedings.

3. The processing agency receives information, which it shall verify with the department, that the penalty has been paid to the department pursuant to Vehicle Code Section 4762.

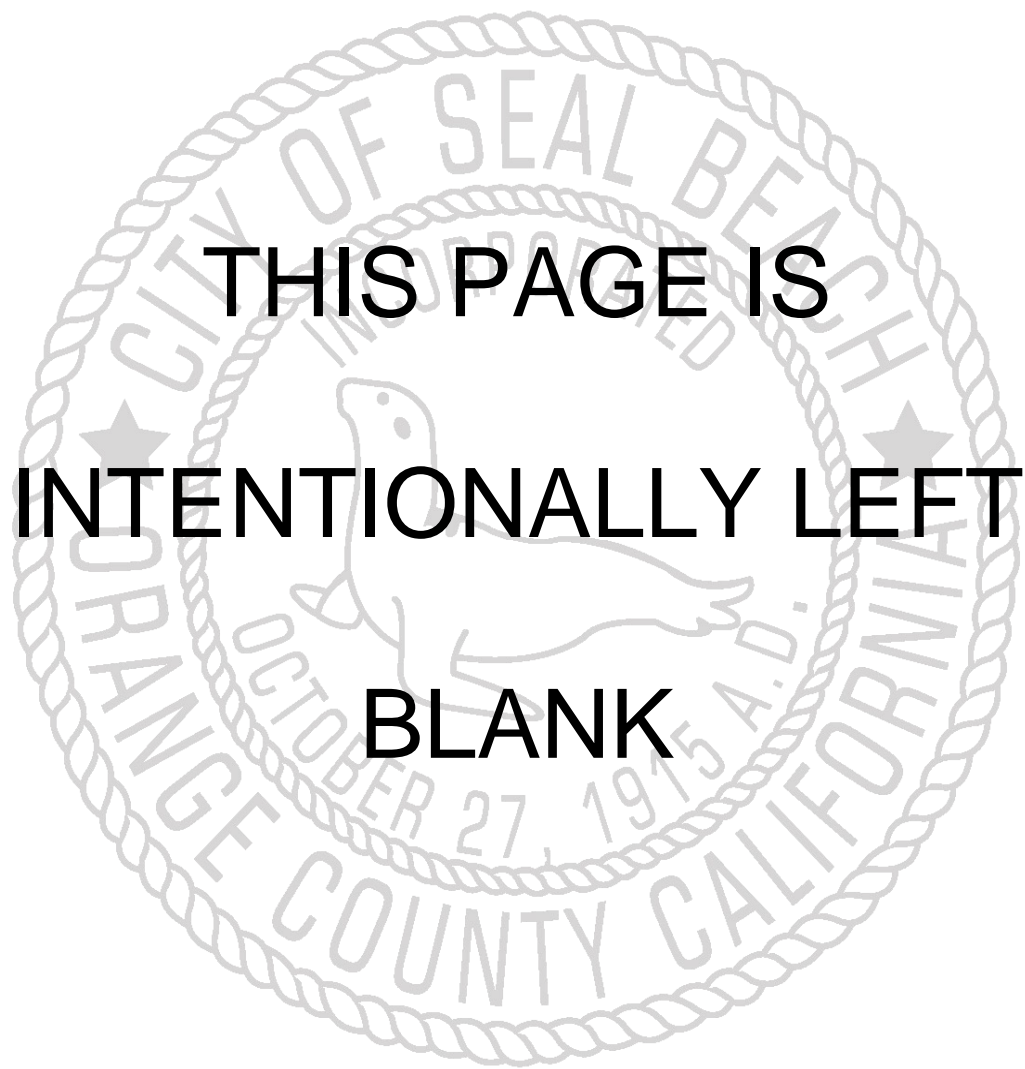
§ 8.25.060 Penalty Deposit.

All parking penalties collected, including process service fees and costs related to civil debt collection, shall be deposited to the account of the processing agency, and then remitted to the city, if the city is not also the processing agency. If the city is not the processing agency, then the city shall enter into an agreement with the processing agency for periodic transfer of parking citation receipts, along with a report setting forth the number of cases processed and the sums received.

§ 8.25.065 Parking Permits.

Parking permits issued by the city shall not be issued to applicants unless all outstanding parking penalties and other related fees are paid in full.

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